

Amendments to the Drawings:

The attached sheets of drawings include changes to Fig. 1 and replaces the original sheet 1/9 containing Fig.1. Figure 1 has been amended to add previously omitted element numeral 7. Sheet 6/9 containing Figure 6 is attached to include previously omitted Figure 6.

Attachments: Replacement Sheet 1/9 (Figure 1) and Annotated Sheet 1/9 showing changes
Sheet 6/9 (Figure 6)

REMARKS

Claims 1-20 remain in this application. Claims 1, 10, 13 and 16 have been amended. The application has been amended to correct minor informalities and errors in the title, specification, abstract and drawings as suggested in the Office Action. No new matter has been added by these amendments.

Applicant wishes to thank Examiner Hertzog for her courtesy and cooperation regarding telephonic interviews with the associate of the undersigned on August 10, 2005 and August 11, 2005. In the August 10, 2005 interview, the addition of Figure 6 to the application without being considered new matter was discussed. At the conclusion of the August 10, 2005 interview, Examiner Hertzog indicated that she would review Figure 6 informally.

In the August 11, 2005 interview, Examiner Hertzog indicated that there was support in the specification for Figure 6 and that she would allow Figure 6 to be entered without being considered new matter. Applicant's representative has requested a transcript of the interview for Applicant's records.

Objections to the Title

The title was objected to on page 2, paragraph 4 of the Office Action as not being clearly indicative of the invention to which the claims are directed. By the amendments herein, Applicant has duly amended the title. Applicant respectfully requests that the amendment to the title be accepted and that the objections to the title be withdrawn.

Objections to the Abstract

On pages 2-3, paragraph 5 of the Office Action, the abstract was objected to because it failed to note Applicant's method of using the disclosed apparatus. In response, the abstract has been amended to include a method of using the apparatus as disclosed. Applicant respectfully requests that the amendment to the abstract be accepted and that the objection be withdrawn.

Objections to the Specification

Page 3, paragraph 7 of the Office Action, the specification was objected to as lacking an antecedent basis for the claimed subject matter, specifically:

In paragraph 7.a. of the Office Action “the ram opening ... [is] defined in the projectile retaining container lower portion’, per claim 5.”

In response Applicant asserts that proper antecedent basis is found in claim 1; part b wherein (emphasis added):

1. . . .
 - b) a projectile retaining container disposed on the base for accepting and retaining the ogive of a toxic weapon projectile, the projectile retaining container having a projectile retainer opening, **a ram opening** and a drain opening;

In paragraph 7.b. of the Office Action “sealing the ogive of the projectile to the projectile retaining container with the projectile retainer opening seal, ‘per claim 13, step (c).”

In response claim 13 has been amended to provide proper antecedent basis to obviate the objection.

In paragraph 7.c. of the Office Action “the ram opening [is] in the lower portion of the projectile retaining container’, per claim 10, part b).”

In response Applicant asserts that proper antecedent basis is found in claim 10; part b) wherein (emphasis added):

10. . . .

- b) a projectile retaining container having an upper portion and a lower portion, the projectile retaining container being disposed on the base for accepting and retaining the ogive of a toxic weapon projectile, the projectile retaining container defining a projectile retainer opening in the upper portion of the projectile retaining container, **a ram opening in the lower portion of the projectile retaining container** and a drain opening in the lower portion of the projectile retaining container;

Applicant respectfully requests that the objections to the specification be withdrawn.

Objections to the Drawings

Figure 1 has been amended to distinctly point out a "central opening 7" as described in the specification. Applicant requests that the Examiner review the enclosed amended Figure 1 and pass it along to the Official Patent Draftsperson for final approval.

Figure 6 has been allowed to be entered without being considered new matter in a telephone interview with the Examiner on August 11, 2005. Therefore all reference signs in the specification are present and supported. The remaining objections noted on page 4, items 8.b. through 8.h. of the Office Action referencing Figure 6 are therefore rendered moot and Applicant respectfully requests the withdrawal of the objections.

Minor informalities

Page 5, paragraph 10 of the Office Action, the minor informalities noted by the Examiner at page 2, line 28 of the disclosure have been corrected by amendment herein.

Claim Objections

Page 5, paragraph 11 of the Office Action, all claim objections noted by the Patent and Trademark Office have been amended herein. Specifically:

- a. Claim 1, part d) line 2, “retaining” has been changed to “retainer.”
- b. Claim 10, part d), line 2, “retaining” has been changed to “retainer.”
- c. Claim 13, part (a), section iv) line 2, “retaining” has been changed to “retainer.”
- d. Claim 13, part (b), line 2, “retainer” has been inserted prior to “opening”

Applicant therefore respectfully requests the withdrawal of the objections.

Claim Rejections

Claims 13-20 stand rejected under 35 U.S.C. §112, second paragraph, for the reasons indicated on page 5, paragraph 13. In response, claims 13 and 16 have been amended to obviate these rejections. Applicant hereby places on the record that these amendments were not done for reasons of patentability and are not narrowing amendments. The amendments merely make minor changes as required by the Examiner for the purpose of clarity. Nothing in these amendments should be construed as a narrowing amendment or as an amendment due to patentability for purposes of determining whether the Doctrine of Equivalents applies to any particular limitation. Claims 14-15, and 17-20 depend on claim 13. Applicant therefore respectfully requests the withdrawal of the rejections.

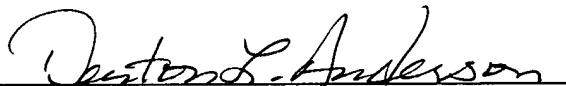
CONCLUSION

For the reasons set forth above, Applicant respectfully submits that all of the claims remaining in the application are now in condition for allowance. Accordingly, reconsideration, reexamination and allowance of all claims is requested.

Respectfully submitted,

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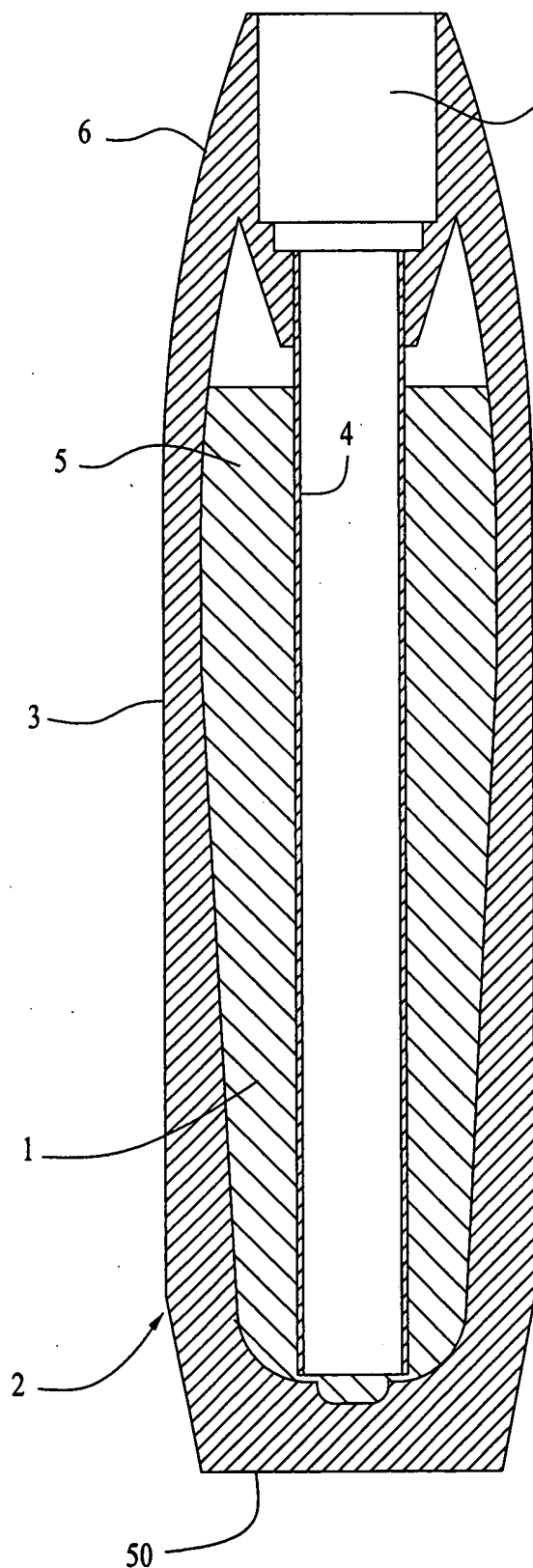
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TO COMPLY WITH
PARAGRAPH 8.2.
OF THE OFFICE
ACTION, ITEM 7
THE "CENTRAL
OPENING" REFERENCE
IN THE SPECIFICATION
HAS BEEN ADDED.

FIG. 1